

Street. It must be significant and substantial and it must be targeted at our most pressing needs.

The plan before us does that. It will prime the pump of America's job machine, by fast-tracking \$13.5 billion of investment into our Nation's infrastructure which forms the bedrock of our economy. It will help the States avoid the difficult decision to raise property taxes; you cannot do that now. But some of them may have no choice because they have budget shortfalls. But we can avoid that terrible choice by delivering \$40 billion in emergency fiscal aid through the FMAP.

The stimulus package before us will jump start renewable energy production by making major investments in the technologies that will not only help America become energy independent but will make us a global leader in the next generation of fuel-efficient vehicles.

Importantly, this bill will also resuscitate small business lending. We all know small businesses are the engine of our economy. But small businesses have been overlooked in the financial rescue efforts to date.

So working with my friend and colleague from Massachusetts, Senator KERRY, we have worked to include provisions in this stimulus package that will throw our small businesses a life vest to weather this storm so they can emerge from it as leaders in job creation.

Small businesses generally rely heavily on loans from banks to build inventory, meet their payroll consistently, and fuel the growth of the business. These loans have all but dried up, threatening the survival of car dealerships, mom-and-pop pharmacies, restaurants and shops all across the Nation.

The Federal Reserve recently reported that 75 percent of domestic banks said they had tightened their lending standards for small-business loans, 75 percent. At the same time, 70 percent of the lenders told the Fed that they would charge more for those loans. According to the New York Times in an August opinion poll, two-thirds of entrepreneurs told the National Small Businesses Association that their companies had been hurt by the credit crunch.

Traditionally, Small Business Administration loans have filled this gap. But chronic underfunding of the SBA under the Bush administration and its outdated fee structure have greatly reduced lender participation and undermined the valuable function that SBA lending could play during this credit crisis.

In October alone, the number of loans made under SBA's largest loan program dropped over 50 percent compared to the same month last year. So the economy desperately needs this shot in the arm.

And SBA's loan program is cut in half. What foolishness. Why do we not

change it? That is why Senator KERRY and I fought to include in the economic stimulus package provisions that will modernize the SBA and jump start lending to small business.

Our bill provides \$615 million to support \$22.5 billion in zero-fee loans to small businesses under the 7A and 504 programs. Providing zero-fee loans will deliver needed relief to small business on Main Street during Wall Street's financial crisis.

The bill also provides \$1 million to support \$10 million in new microloans for small businesses and \$4 million for critical technical assistance for these new "micro" borrowers.

In sum, our Nation needs this stimulus package, not just for the small businesses or the large businesses across the Nation but for the American families who have faced devastating hits to their wealth and economic security. We need to build a platform from which we can emerge from this credit crisis as a global leader in energy and innovation and high-paying job creation. I strongly urge the passage of this proposal.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

The Senator is recognized for 10 minutes.

Mr. BARRASSO. Thank you very much, Mr. President.

#### MEDICARE

Mr. BARRASSO. Mr. President, today I come to the floor to tell the Nation a story, and it is the story of a Wyoming doctor, a doctor by the name of Randy Johnston. He is an ophthalmologist who practices in Cheyenne, WY. He is very qualified. He is very capable. He is also a good friend.

The reason I come to tell you this story is because, like many doctors across the country, Randy takes care of people on Medicare, and occasionally in his practice as an ophthalmologist he gives shots to people on Medicare. As a matter of fact, there is a picture of Dr. Johnston on the front page of the American Medical News. This is an article dated November 10, written by Jane Cys, and it shows Dr. Johnston in his office in Cheyenne getting ready to give a shot.

Well, in the past, Randy would buy the drugs that his practice uses and then bill the patients for the treatment. The drugs that Randy uses are typically injected, but under this Part B Medicare drug program some are infused through a patient intravenously right into the vein.

Two years ago, Randy enrolled in a new program created by the 2003 Medi-

care Modernization Act. This Medicare Part B program was called the Competitive Acquisition Program—CAP is the phrase they use. It was designed to give doctors a choice in the way they administer the drugs.

Under the program, the doctor would first see the patient, then order the medicine from a Government vendor, then get the medicine, and then give the injection.

Well, the way it worked is, Medicare would then pay the vendor for the drugs. Medicare also would bill the patient if there was a copay or a premium the patient owed. Randy was only responsible to bill Medicare for the actual treatment of the patient, not for the medicines.

Congress and the Centers for Medicare and Medicaid Services hailed this new program as a way to alleviate administrative burdens and reduce Medicare costs—a good idea. Doctors could now spend more of their time with their patients rather than serving as drug purchasers and bill collectors.

Randy signed up for the program early, and the program that was passed as part of the 2003 bill finally got started in 2006. Randy thought it made good sense for him, good sense for his patients. Some of his Medicare patients could not afford to pay for their office-administered drugs, and Randy saw great potential in this new program. He could transfer the Medicare billing part of it to someone equipped to handle the administrative redtape, and this freedom would leave him more time to focus on practicing medicine.

The program has now been in place for 3 years. What are the results? Well, only 4,200 doctors signed up for the program. You may ask, why is that? Dr. Johnston can tell you, and this article in the American Medical News explains it very well. Administrative hassles, burdensome drug transportation and storage rules, and vendor delivery problems—and that is just to name a few.

For example, the Government rules require doctors to give patients the drugs only in the facility where the vendor delivered the medicine—no exceptions, none. This requirement prevented doctors from moving drugs between their main office and a part-time satellite office they may have in another community.

Washington bureaucrats simply do not understand what a burden this policy can be in rural and frontier communities. Seniors living in rural States such as Wyoming often have to travel great distances—hundreds of miles—to see a specialist like Dr. Randy Johnston. This program, with good intentions, clearly was not designed to meet the unique needs facing rural patients and health care providers who work tirelessly to serve their patients.

Dr. Johnston was also required to order the drugs for a specific individual patient by name. He was not allowed to restock a general office supply to use on multiple patients.

I understand the Government is trying to prevent drug stockpiling. But this rigid program requirement does not give doctors the flexibility they need to practice medicine. This is especially true in emergency situations.

So who is liable when a patient comes to the doctor's office needing immediate treatment but the doctor cannot help because he has to call the Government to send the medicine in the first place, even if he has a supply on hand for another patient? The program's current design has turned out to be a bureaucratic nightmare.

After only 3 months in the program, Randy Johnston wrote Medicare a letter begging—I say begging—to be let out of the program. Why? Well, it was not just the excessive paperwork and the excessive phone calls to get the medication; Randy saw how absolutely wasteful this Government program had become.

When Dr. Johnston purchased Medicaid vials himself from a local pharmacy, the local pharmacy would divide it into multiple doses that could be used for different patients. Using the new Medicare program, Dr. Johnston had to order an entire vial for each patient, use the one dose the patient needed, and then throw the rest away.

Why would Medicare force seniors and taxpayers to foot the bill for an entire vial of medication containing 400 doses when the patient only needed 1 dose? At a time when Americans are facing such painful financial times, this wasteful Government spending is appalling. We are talking about life-saving medicine, expensive medicine. I do not know anyone who buys a loaf of bread, takes out one piece and eats it, and throws away the rest of the loaf. This makes no sense to anyone.

It is well past the time that Washington bureaucrats start treating taxpayer dollars like the money in their own personal checkbooks. When emergencies, illnesses, or major household repairs occur in our families, we find a way to pay the bill. We look at our budgets, we tighten our belts, and we find alternative places to save. We eliminate luxury items. We stop wasteful spending.

Dr. Johnston was absolutely right to try to get out of this absolutely wrong, wasteful program. Washington bureaucrats who have never been on the front lines treating Medicare patients developed this program. They do not understand the practical applications. So I was not surprised when Medicare announced in September of this year they were putting the entire program on hold starting in January 2009. Washington bureaucrats claim they are considering alternative ways—alternative ways—to improve the program because they want it to succeed.

The new administration has a tremendous opportunity to learn from Randy Johnston and from the 4,200 other participating doctors. Rather than hamstring providers, perhaps Washington should start to focus its ef-

forts on eliminating waste, eliminating fraud, and eliminating abuse in the Medicare system.

This year alone, we have seen one news report after another uncovering Medicare wasting money. These news reports sound the alarm to every hard-working taxpayer in the sound of my voice and all hard-working taxpayers across America.

Who is holding these bureaucrats accountable? Just this week, the Department of Health and Human Services issued the Agency Financial Report. This document shows that in fiscal year 2008, these Government check writers made \$10.4 billion—\$10.4 billion—in improper Medicare fee-for-service payments. We can do better. We can do much better than this.

Wasteful spending strips Medicare of the vital resources that are needed to care for our elderly, to care for our frail, to care for the vulnerable. The new administration has a real opportunity to show leadership. Working together, we can fix this flawed policy. Medicare patients, doctors who take care of Medicare patients, and the American taxpayers deserve nothing less.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll of the Senate.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 4 p.m.

Thereupon, the Senate, at 2:28 p.m., recessed until 4 p.m. and reassembled when called to order by the Presiding Officer (Mrs. McCASKILL).

The PRESIDING OFFICER. The Senate will come to order.

Mr. BARRASSO. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia is recognized.

#### ECONOMIC STIMULUS

Mr. BYRD. Madam President, in September, the Senate considered a \$56 billion economic recovery bill, authored by Senator REID and myself. While the bill received 52 votes, the minority succeeded in blocking its consideration.

In the following 2 months, the economy has continued to deteriorate. On

Monday, Senator REID and I renewed our effort to stimulate the economy and help the millions of Americans hurt by the recession by introducing a \$100 billion economic recovery bill.

In response to higher unemployment, rising food costs, higher energy costs, State budgets in crisis, and increased dependence on foreign oil, President-elect Obama has called for passage of a second stimulus bill. I spoke with the President-elect yesterday, and I committed myself to helping the President implement his agenda.

Madam President, it is time to deliver to Main Street USA. S. 3689 is a \$100.3 billion economic stimulus package that would create over 635,000 jobs. I will repeat that. S. 3689 is a \$100.3 billion economic stimulus package that would create over 635,000 jobs. The unemployment rate now stands at 6.5 percent, the highest rate since March 1994. The unemployment rate is up by 1.7 percentage points since October 2007. The U.S. economy has lost jobs every month this year—a total of 1.2 million jobs, with almost half of the job losses coming in the last 3 months alone. New unemployment claims filed exceeded 500,000, the highest number since just after 9/11.

In order to respond to these grim statistics—and they are grim—the stimulus package extends unemployment benefits by 7 weeks in all States, as well as another 13 weeks in high-unemployment States. Thirty-seven States are facing a shortfall of over \$70 billion in their fiscal year 2009 budget, necessitating cutbacks in education, cutbacks in health care, and cutbacks in law enforcement.

The stimulus package includes \$37.8 billion—that is \$37.80 for every minute since Jesus Christ was born—to reduce the State's share of Medicaid costs by increasing the Federal share—increasing, I say—the Federal share by 8 percent.

The economic recovery package also—I emphasize the word “also”—includes a temporary increase in food stamp benefits. These funds—hear me now—these funds will be spent quickly, and they will help to stimulate the economy.

Over \$37 billion is included for essential infrastructure and investment programs. Now hear me, listen closely. I measure each word. There are consequences for failing to invest in America. For 8 years—8 long years—we have failed to make adequate investments in highways, transit systems, housing, in clean and safe drinking water systems, and in energy independence. This bill funds such investments, as well as small business loans, assistance for rural communities, and disaster relief for farmers hurt by the hurricanes and the floods this summer.

I understand, I am sorry to say, there is going to be an objection to debating this bill. This would be a mistake. I will say that again. I understand there will be an objection to debating this bill. This would be a mistake—a mistake. Why? Because it is time to act.